

Readoption Review

Abortion Clinic Licensure Rules 410 IAC 26

IC 4-22-2.5-3.1(c) requires an agency to conduct a review to consider whether there are alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would minimize the economic impact of the proposed rule on small business.

Description of Rule:

The Indiana State Department of Health (ISDH) has responsibility for the licensure and regulation of abortion clinics as added to IC 16-21-2-2 by SEA 568 (2005) and subsequent amendments. These rules pertain to the operation and management of abortion clinics as well as establishing minimum licensing qualifications and establishing requirements for sanitation standards, staff qualifications, necessary emergency equipment, procedures to provide emergency care, quality assurance standards, and infection control. The rules prescribe the operating policies, supervision, and maintenance of medical records. The rules establish procedures for the issuance, renewal, denial, and revocation of licenses while addressing the form and content of the license and the collection of an annual license fee. They also address procedures and standards for inspections.

Readoption Analysis:

1) Is there a continued need for this rule?

Yes, there is a continued need for this rule. IC 16-21-2-2 requires that the ISDH license and regulate the operation of abortion clinics.

2) What is the nature of any complaints or comments received from the public, including small business, concerning the rule or the implementation of the rule by the agency?

There have been no complaints or comments received from the public or small business concerning this rule or the implementation of this rule by the ISDH.

3) Examine the complexity of the rule, including difficulties encountered by the agency in administering the rule and small businesses in complying with the rule.

The ISDH is not aware of any difficulties in administration of or compliance with this rule.

4) To what extent does the rule overlap, duplicate, or conflict with other federal, state, or local laws, rules, regulations, or ordinances?

This rule does not overlap, duplicate, or conflict with any other federal, state, or local laws, rules, regulations, or ordinances.

5) **When was the last time the rule was reviewed under this section or otherwise evaluated by the agency, and the degree to which technology, economic conditions, or other factors have changed in the area affected by this rule since that time?**

The rule is required by SEA 568 of 2005 and subsequent amendments. The last time it was reviewed was in 2012 before its readoption. Technology, economic conditions and other factors have not changed significantly in the area affected by this rule since it was first adopted. **ISDH is currently reviewing the rules to update them to reflect recent statutory changes.**

May 30, 2018